

EXECUTIVE SECRETARIAT

Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS		X		
5	DDI		X		
6	DDA		X		
7	DDO		X		
8	DDS&T		X		
9	Chm/NIC				
10	GC				
11	IG				
12	Compt				
13	D/EEO				
14	D/Pers				
15	D/OEA				
16	C/PAD/OEA				
17	SA/IA				
18	AO/DCI				
19	C/IPD/OIS				
20	C/TTIC	X			
21	NIO/S&T		X		
22					

SUSPENSE

10 Marks
Date

Remarks:

Please review and comment to DCI.

2 March 1983

Date

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DEPARTMENT OF STATE
THE DIRECTOR OF INTELLIGENCE AND RESEARCH
WASHINGTON

Executive Registry

83-1180

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March 2, 1983

MEMORANDUM FOR: Mr. William J. Casey
Director of Central Intelligence

SUBJECT: Monitoring of Third Country Transfer of
Sensitive Military Technology

As you are aware, Section 163 of the Second Joint Resolution appropriating funds for fiscal year 1983 (P.L.97-377) prohibits the use of funds made available by that joint resolution to furnish or facilitate the sale or transfer of sensitive US defense equipment, materials, or technology to any country, unless the President certifies that he has reliable assurances that such countries will not transfer sensitive US equipment, materials, or technology in violation of agreements entered into under the Arms Export Control Act to any communist country, or to any country which receives arms from a communist country. This provision is in addition to existing requirements in the Arms Control Act which cover transfers of defense articles and defense services.

The President has already made the certification of "reliable assurances" with respect to Pakistan (Tab A). The Department of State will shortly seek a Presidential certification that would cover all other countries to which we might transfer sensitive defense equipment (Tab B).

I believe it would be useful to alert the Intelligence Community to this new requirement of law and to ask that within available collection and analytical resources, a careful watch be kept for evidence of unauthorized transfers of US-provided defense equipment, materials, services, and technology. The Intelligence Community is already doing good work in this general area, and I believe that these efforts are widely appreciated. In view of the existence of a new statutory injunction, however, it would be worthwhile to remind both the collectors and the analytical side of the Community of the special obligations that are imposed on us with respect to this subject.

I do not believe that any new mechanism is required since the existing procedures seem to be working reasonably well. I would be grateful, however, if you would bring the new legis-

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lation to the attention of of the Intelligence Community in the manner you consider most appropriate. You may want to consider addressing this issue at an early meeting of the NFIB and, if you wish, I would be happy to speak to the point also.


Hugh Montgomery

Attachments:

Tab A - Presidential Determination

Tab B - Countries Subject to this Determination

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